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Attomeye for Defendant

USDC SDNY DOCUMENT ELECTRONICALLY FILED DOC #: DATE FILED:

UNITED STATES DISTRICT COURT SOURTHERN DISTRICT OF NEW YORK

JACK B. LEMONIK.

Plaintiff.

SUN LIFE INSURANCE & ANNUITY COMPANY OF NEW YORK.

Defendant

Case No. 08 CIV. 0900 (JSR)

STIPULATION AND ORDER EXTENDING TIME TO ANSWER. MOVE OR OTHERWISE REPLY

Document Electropically Filed

It is hereby stipulated by and between the undersigned attorneys that the time within which defendant may answer, move or otherwise reply to the Complaint filed by plaintiff is hereby extended up to and including March 7, 2008.

OGLETREE, DBAKINS, NASH, SMOAK & STEWART, P.C. Attorneys for Defendant

Dated: February / f., 2008

QUADRING SCHWARTZ Attorneys for Plaintiff

Brad A. Schlombers

Dated: February ______, 2008

IT IS SO ORDERED

5800425.1 (OGLETREE)